

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

Lauren Davis, *on behalf of herself and Other  
similarly situated*,

Plaintiff,

v.

D.R. Horton Inc.

Defendant

Civil Action No. 1:19-cv-01686-LPS

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**[PROPOSED] ORDER GRANTING MOTION TO STRIKE  
PORTIONS OF PLAINTIFF’S COMPLAINT**

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This matter is before the Court on the motion (the “Motion”) of Defendant D.R. Horton Inc. (“Defendant”), to strike portions of the Complaint [D.I. 1] filed by Plaintiff Lauren Davis (“Plaintiff”), on behalf of herself and others similarly situated. Having considered Defendant’s Motion, all moving and responding papers, and the arguments set forth by Defendant and Plaintiff therein, it is hereby **ORDERED** that the Motion is **GRANTED**; it is further **ORDERED** that within \_\_\_\_ days from the date of this Order, Plaintiff must file an amended version of her Complaint with the following stricken:

- (1) All class allegations and citation to *Marks v. Crunch San Diego, LLC*, 904 F.3d 1041, 1053 (9th Cir. 2018); and
- (2) Plaintiff’s request for a Rule 23(b)(2) injunctive relief class.

Plaintiff shall make no amendments or revisions to the Complaint other than as set forth in this Order.

**IT IS SO ORDERED.**

DATED \_\_\_\_\_, 2019

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The Honorable Leonard P. Stark